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APPLICATION NO.	FILING DATE	FIRST NAMED INVENTOR	ATTORNEY DOCKET NO.	CONFIRMATION NO.
09/376,381	08/18/1999	KHAI HEE KWAN		6446

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EXAMINER
CHARLES, DEBRA F

ART UNIT	PAPER NUMBER
2161	

DATE MAILED: 12/31/2001

Please find below and/or attached an Office communication concerning this application or proceeding.

	Application No.	**Applicant(s)**
Office Action Summary	09/376,381	KHAI HEE KWAN
	Examin r	**Art Unit**
	Debra F. Charles	2161

-- Th MAILING DATE of this communication app ars on th cover sh et with the correspondence address --

Period for Reply

A SHORTENED STATUTORY PERIOD FOR REPLY IS SET TO EXPIRE 3 MONTH(S) FROM
THE MAILING DATE OF THIS COMMUNICATION.
- Extensions of time may be available under the provisions of 37 CFR 1.136(a). In no event, however, may a reply be timely filed
  after SIX (6) MONTHS from the mailing date of this communication.
- If the period for reply specified above is less than thirty (30) days, a reply within the statutory minimum of thirty (30) days will be considered timely.
- If NO period for reply is specified above, the maximum statutory period will apply and will expire SIX (6) MONTHS from the mailing date of this communication.
- Failure to reply within the set or extended period for reply will, by statute, cause the application to become ABANDONED (35 U.S.C. § 133).
- Any reply received by the Office later than three months after the mailing date of this communication, even if timely filed, may reduce any
  earned patent term adjustment. See 37 CFR 1.704(b).

Status

1) ☒ Responsive to communication(s) filed on *18 August 1999* .

2a) ☐ This action is **FINAL**.   2b) ☒ This action is non-final.

3) ☐ Since this application is in condition for allowance except for formal matters, prosecution as to the merits is
closed in accordance with the practice under *Ex parte Quayle*, 1935 C.D. 11, 453 O.G. 213.

Disposition of Claims

4) ☒ Claim(s) *1-28* is/are pending in the application.

    4a) Of the above claim(s) _____ is/are withdrawn from consideration.

5) ☐ Claim(s) _____ is/are allowed.

6) ☒ Claim(s) *1-28* is/are rejected.

7) ☐ Claim(s) _____ is/are objected to.

8) ☐ Claim(s) _____ are subject to restriction and/or election requirement.

Application Papers

9) ☐ The specification is objected to by the Examiner.

10) ☐ The drawing(s) filed on _____ is/are: a) ☐ accepted or b) ☐ objected to by the Examiner.

    Applicant may not request that any objection to the drawing(s) be held in abeyance. See 37 CFR 1.85(a).

11) ☐ The proposed drawing correction filed on _____ is: a) ☐ approved b) ☐ disapproved by the Examiner.

    If approved, corrected drawings are required in reply to this Office action.

12) ☐ The oath or declaration is objected to by the Examiner.

Priority under 35 U.S.C. §§ 119 and 120

13) ☐ Acknowledgment is made of a claim for foreign priority under 35 U.S.C. § 119(a)-(d) or (f).

    a) ☐ All b) ☐ Some * c) ☐ None of:

        1. ☒ Certified copies of the priority documents have been received.

        2. ☐ Certified copies of the priority documents have been received in Application No. _____ .

        3. ☐ Copies of the certified copies of the priority documents have been received in this National Stage
application from the International Bureau (PCT Rule 17.2(a)).

    * See the attached detailed Office action for a list of the certified copies not received.

14) ☐ Acknowledgment is made of a claim for domestic priority under 35 U.S.C. § 119(e) (to a provisional application).

    a) ☐ The translation of the foreign language provisional application has been received.

15) ☐ Acknowledgment is made of a claim for domestic priority under 35 U.S.C. §§ 120 and/or 121.

Attachment(s)

1) ☒ Notice of References Cited (PTO-892)	4) ☐ Interview Summary (PTO-413) Paper No(s). _____ .
2) ☒ Notice of Draftsperson's Patent Drawing Review (PTO-948)	5) ☐ Notice of Informal Patent Application (PTO-152)
3) ☐ Information Disclosure Statement(s) (PTO-1449) Paper No(s) _____ .	6) ☐ Other:

Claims 1-28 have been examined.

Claim Rejections - 35 USC § 102

(e) the invention was described in a patent granted on an application for patent by another filed in the United States before the invention thereof by the applicant for patent, or on an international application by another who has fulfilled the requirements of paragraphs (1), (2), and (4) of section 371(c) of this title before the invention thereof by the applicant for patent.

The changes made to 35 U.S.C. 102(e) by the American Inventors Protection Act of 1999 (AIPA)

do not apply to the examination of this application as the application being examined was not (1) filed on

or after November 29, 2000, or (2) voluntarily published under 35 U.S.C. 122(b). Therefore, this

application is examined under 35 U.S.C. 102(e) prior to the amendment by the AIPA (pre-AIPA 35 U.S.C.

1.   Claims 1-28 rejected under 35 U.S.C. 102(e) as being unpatentable over **Walker (5797127).**

As per **Claim 1**, **Walker** discloses a data processing apparatus capable of linking to various carrier cargo

system(Col. 4, line 53- 60) s and agents/users' terminal(Col. 4, line 53- 60) for determining a option

price(Abstract) of an freight service option (Abstract) to offer for sell or trade and exercise of such option

once created in an exchange environment(Col. 1, lines 40-67, Col. 2, lines 1-9) where both buyers/sellers

are electronically visible(Col. 4, lines 1-15), having a pre-assigned user accounts(Col. 7, lines 40-43),

each comprising:

a central controller(Col. 4, lines 27-34, 59) including a CPU and a memory(Col. 4, lines 19-20) operatively

connected to said CPU (Col. 4, lines 16-67); at least one user terminal(Col. 4, line 53- 60), adapted for

communicating(Col. 4, lines 53-67) with said central controller(Col. 4, lines 27-34, 59), for transmitting to

said controller(Col. 4, lines 27-34, 59) determining option pricing information including but not limited to

the date of departure, flexibility, type of cargo and route criteria(Abstract, Col. 5, lines 41-64, Col. 6, lines

40-67, Col. 7, lines 1-26).

at least one carrier cargo system(Col. 4, line 53- 60) terminal(Col. 4, line 53- 60) networked with flight

passengers reservation system(Col. 4, lines 1-15), adapted for communicating with said central

controller(Col. 4, lines 27-34, 59), for transmitting to said controller(Col. 4, lines 27-34, 59) information

including but not limited to the loading capacity of the schedule flight, demand rate, loyalty of the

customer/option buyer, standard deviation(Col. 7, lines 22) of the freight option price(Abstract) for this

particular route, the weather forecast on this particular route on a particular date, the coincidence of

holiday period for date of departure, type of plane, number of competition on this route(Abstract, Col. 6,

lines 40-67, Col. 7, lines 1-26, Col. 7, lines 55,Col. 8, line 7-8) , Said memory(Col. 4, lines 19-20) in said

central controller(Col. 4, lines 27-34, 59) containing a program(Col. 4, lines 20-22, Col. 5, lines 29-31, Col

6, lines 9-11), adapted to be executed by said CPU, for calculating(Abstract, Col. 6, lines 13, 28) a option

price(Abstract, Col. 6, lines 13, 28) of an freight facility option(Col. 7, lines 4-5) to pay for within a future

period, for a particular route including but not limited to the loading capacity of the schedule flight,

demand rate, loyalty of the customer/option buyer, standard deviation(Col. 7, lines 22) of the freight

option price(Abstract) for this particular route, the weather forecast on this particular route on a particular

date, the coincidence of holiday period for date of departure, type of plane, number of competition on this

route, which satisfied the customer/buyer requirements(Abstract, Col. 5, lines 41-64, Col. 6, lines 40-67,

Col. 7, lines 1-26),

Wherein said central controller(Col. 4, lines 27-34, 59, Col. 8, lines) receives said criteria/factor(Abstract,

Col. 3, lines 35-37, Col. 5, lines 41-67, Col. 6, lines 40-67, Col. 7, lines 1-26, 54-56)s (Abstract, Col. 3,

lines 35-37, Col. 5, lines 41-67, Col. 6, lines 40-67, Col. 7, lines 1-26, 54-56) from said user/agents

terminal(Col. 4, line 53- 60) and queries carrier cargo system(Col. 4, line 53- 60) based on part the

factor(Abstract, Col. 3, lines 35-37, Col. 5, lines 41-67, Col. 6, lines 40-67, Col. 7, lines 1-26, 54-56)s

(Abstract, Col. 3, lines 35-37, Col. 5, lines 41-67, Col. 6, lines 40-67, Col. 7, lines 1-26, 54-56) presented

by user/agent, and carriers' respective reservation system(Col. 4, lines 1-15)s, receives real-time

feedback and calculates the option price(Abstract) based upon the criteria/factor(Abstract, Col. 3, lines

35-37, Col. 5, lines 41-67, Col. 6, lines 40-67, Col. 7, lines 1-26, 54-56)s (Abstract, Col. 3, lines 35-37,

Col. 5, lines 41-67, Col. 6, lines 40-67, Col. 7, lines 1-26, 54-56) above as updated from time to time(Col. 7, lines 62-65), databases containing registered users account including past transaction records of any sale and purchase of options and terms(Col. 7, lines 52-61, Col. 8, lines 15).

Walker does not explicitly disclose the feature of accounts having protected passwords and login sequence, databases containing searchable functions as well as viewable tables where to options are posted for sale and bids are placed to attract sellers. However, this feature is deemed to be inherent to the Walker system as (Col. 7, lines 62-65) show the database is updatable. Without password protection and a login sequence, the database could not be updated.

As per **Claim 2, Walker** discloses the apparatus wherein said program(Col. 4, lines 20-22) in said memory(Col. 4, lines 19-20)(Col. 4, lines 19-20) is adapted to receive a client request(Col. 5, lines 39-41) input via said user terminal(Col. 4, line 53- 60, Col. 7, lines 27-30) to purchase or sell the option, search other options, offer for sale, offer to buy(Col. 7, lines 28-30) and further adapted to perform a credit card transaction(Col. 7, lines 27-35, Col. 8, lines 10-15) to sell or buy the option(Col. 7, 28-30) for the client.

As per **Claim 3, Walker** discloses the apparatus wherein said program(Col. 4, lines 20-22) in said memory(Col. 4, lines 19-20) is adapted to receive a directed customer request (Col. 7, lines 28-30) input via said user terminal(Col. 4, line 53- 60) to exercise an option and further adapted to perform a credit card transaction(Col. 7, lines 27-35, Col. 8, lines 10-15) to sell to the customer in accordance with the terms of the option.

As per **Claim 4, Walker** discloses a method and process of determining a option price(Abstract) of a freight cargo option for a fixed route using a central controller(Col. 4, lines 27-34, 59) including a CPU and a memory(Col. 4, lines 19-20) operatively connected to said CPU and containing a program(Col. 4, lines 20-22) adapted to be executed by said CPU for determining the option price(Abstract) of the option, with at least a user terminal(Col. 4, line 53- 60) and a carrier cargo system(Col. 4, line 53- 60) s terminal(Col.

4, line 53- 60) networked to corresponding reservation system(Col. 4, lines 1-15) adapted for

communicating with said CPU, the method comprising the steps of:

Inputting(Col. 5, lines 59) the departure date, type of cargo, flexibility and route information criteria to the

controller(Col. 4, lines 27-34, 59) via the user terminal(Col. 4, line 53- 60); based on above input data by

user, controller(Col. 4, lines 27-34, 59) will query the cargo system(Col. 4, line 53- 60) for the loading

capacity of the scheduled flight as connected to the departure data and type of plane, its demand rate,

check the loyalty of the particular user, calculates the standard deviation(Col. 7, lines 22) of the freight

option price(Abstract) for this particular route, query the forecasted weather on this particular route,

check the coincidence of holiday period for date of departure, check the number of competition on this

route and return all this information to controller(Col. 4, lines 27-34, 59) from the cargo system(Col. 4, line

53- 60) terminal(Col. 4, line 53- 60);

Combining all the information from said user and carrier cargo system(Col. 4, line 53- 60) s, the central

controller(Col. 4, lines 27-34, 59) shall execute a program(Col. 4, lines 20-22) to calculate a option

price(Abstract) of a freight cargo option that gives the customer a right to pay for but not obligation within

a future said period equal or less to the period before the departure date, for a particular route which

satisfied the route information and date of departure by having the CPU execute said program(Col. 4,

lines 20-22); and outputting the option price(Abstract) to the user terminal(Col. 4, line 53- 60).

As per **Claim 5, Walker** discloses a data processing apparatus for determining the option price(Abstract)

of an option to pay for an air cargo freight service, comprising: a CPU ; and a memory(Col. 4, lines 19-20)

operatively connected to said CPU, said memory(Col. 4, lines 19-20) containing a program(Col. 4, lines

20-22) adapted to be executed by said CPU and said CPU and memory(Col. 4, lines 19-20) cooperatively

adapted to receive option pricing information inputs, and to calculate a option price(Abstract) of the

option to pay for within a future period, for a particular freight route, a cargo freight service satisfying the

option pricing information to inputted by user(Col. 5, lines 59-60) and carrier cargo system(Col. 4, line 53-

60) .

As per **Claim 6, Walker** discloses apparatus wherein said program(Col. 4, lines 20-22) is adapted to receive option pricing information comprising the date of departure, type of cargo, flexibility and route information criteria from user, the loading capacity of the schedule flight, demand rate, loyalty of the user, standard deviation(Col. 7, lines 22) of the freight option price(Abstract) for this particular route, the forecasted weather on this particular route, the coincidence of holiday period for date of departure, and type of plane, and number of competition on this route from the cargo system(Col. 4, line 53- 60) ;

As per **Claim 7, Walker** discloses the apparatus wherein said program(Col. 4, lines 20-22) in said memory(Col. 4, lines 19-20) is adapted to receive at least one of first information describing a desired number of weeks before departure, second information concerning the expected demand on the route, and third information concerning the volatility of the freight option price(Abstract) s, and fourth the loyalty of the user, and fifth the flexibility of the user's route, sixth the loading capacity of the plane at the time of query, seventh the predicted weather prevailing on the date of departure, eighth the timing of the flight, ninth the type of cargo, tenth the type of plane and eleventh the number of competition and wherein said program(Col. 4, lines 20-22) is further adapted to use at least one of said information, said second information, and said third information, said fourth information, said fifth information, said sixth information, said seven information, said eight information, said ninth information, said tenth information, said eleventh information to calculate the option price(Abstract) .

As per **Claim 8, Walker** discloses the apparatus wherein said program(Col. 4, lines 20-22) in said memory(Col. 4, lines 19-20) is adapted to receive an indication that a customer has purchase or sale the option and further to update a database to reflect We sale or buying of the option.

As per **Claim 9, Walker** discloses the apparatus wherein said the program(Col. 4, lines 20-22) in said memory(Col. 4, lines 19-20) is adapted to calculate the option price(Abstract) based at least in part on

the number of similar options already sold or bought for a particular route and carrier using information stored in an option database.

As per **Claim 10, Walker** discloses the apparatus wherein the said program(Col. 4, lines 20-22) in said memory(Col. 4, lines 19-20) is adapted to calculate to option price(Abstract) based at least in part on the formula:

Option price(Abstract) = LC*D*L*C*R*V*W*T*Q*A*C®

where LC is the load capacity times the base option price(Abstract) for the option, D is a factor(Abstract, Col. 3, lines 35-37, Col. 5, lines 41-67, Col. 6, lines 40-67, Col. 7, lines 1-26, 54-56) related to a desired number of weeks before departure date, L is a factor(Abstract, Col. 3, lines 35-37, Col. 5, lines 41-67, Col. 6, lines 40-67, Col. 7, lines 1-26, 54-56) concerning the expected demand on the requested route, C is a factor(Abstract, Col. 3, lines 35-37, Col. 5, lines 41-67, Col. 6, lines 40-67, Col. 7, lines 1-26, 54-56) concerning loyalty, R is a factor(Abstract, Col. 3, lines 35-37, Col. 5, lines 41-67, Col. 6, lines 40-67, Col. 7, lines 1-26, 54-56) concerning flexibility, V is a factor(Abstract, Col. 3, lines 35-37, Col. 5, lines 41-67, Col. 6, lines 40-67, Col. 7, lines 1-26, 54-56) concerning the volatility of the freight cargo option price(Abstract) s, W is a factor(Abstract, Col. 3, lines 35-37, Col. 5, lines 41-67, Col. 6, lines 40-67, Col. 7, lines 1-26, 54-56) concerning the weather on the departure date, T is a factor(Abstract, Col. 3, lines 35-37, Col. 5, lines 41-67, Col. 6, lines 40-67, Col. 7, lines 1-26, 54-56) concerning timing of flight date such as in holiday period or otherwise, Q is factor(Abstract, Col. 3, lines 35-37, Col. 5, lines 41-67, Col. 6, lines 40-67, Col. 7, lines 1-26, 54-56) for type of cargo, A is for type of plane and CO is for number of competition on the same route.

As per **Claim 11, Walker** discloses a method of determining a option price(Abstract) of the cargo option using a central controller(Col. 4, lines 27-34, 59) including a CPU and a memory(Col. 4, lines 19-20) operatively connected to said CPU containing a program(Col. 4, lines 20-22), adapted to be executed by

said CPU for determining a option price(Abstract) for the option, the method comprising the steps of

inputting departure date;

inputting type of cargo and flexibility for this route criteria provided by a user or customer;

querying the above data with a carrier cargo system(Col. 4, line 53- 60) to receive data on load capacity

of a chosen plane, demand for this flight, check the loyalty of this customer, calculate the standard

deviation(Col. 7, lines 22) of cargo option price(Abstract) s up to that time for this flight, check the

predicted weather on this departure date, check whether the departure date may coincidence with any

public holiday or weekends, check the type of plane available on this route and finally the number of

competition for this flight and with all these data, calculating(Abstract, Col. 6, lines 13, 28) the option

price(Abstract) of an option that gives the right to pay for but not the obligation within a future period for a

particular route, a route satisfying the departure date and the criteria provided by the cargo system(Col. 4,

line 53- 60) s by having the CPU execute said program(Col. 4, lines 20-22); and outputting the option

price(Abstract) ,

As per **Claim 12, Walker** discloses a method of determining a option price(Abstract) of the cargo option,

comprising the steps of: receiving option pricing information relative to future purchase for the particular to

route;

calculating(Abstract, Col. 6, lines 13, 28) the option price(Abstract) for an option to pay for within a future

period, for a particular route, satisfying the option pricing information above; and outputting the option

price(Abstract) .

As per **Claim 13, Walker** discloses the method wherein the step of receiving option pricing information

includes receiving the date of departure and type of cargo and flexibility for this route criteria provided by

a user or customer; querying the above data with a carrier cargo system(Col. 4, line 53- 60) to receive

data on load capacity of a chosen plane, demand for this flight, check the loyalty of this customer,

calculate the standard deviation(Col. 7, lines 22) of cargo option price(Abstract) s up to that time for this

flight, check the possible weather on this departure date, check whether the departure date may

coincidence with any public holiday or weekends, check the type of plane available on this route and

finally the number of competition for this route.

As per **Claim 14, Walker** discloses the method comprising of the steps of: receiving at least one of first

information describing a desired number of weeks before departure, second information concerning the

expected demand on the route, and third information concerning the volatility of the freight option

price(Abstract) s, and fourth the loyalty of the customer, and fifth the flexibility of the customer's route,

sixth the loading capacity of the plane, seventh the weather prevailing on to the date of departure, eighth

the timing of the flight, ninth the type of cargo, tenth the type of plane and eleventh the number of

competition and wherein said program(Col. 4, lines 20-22) is further adapted to use at least one of said

information, said second information, and said third information, said fourth information, said fifth

information, said sixth information, said seven information, said eight information, said ninth information,

said tenth information, said eleventh information to calculate the option price(Abstract) .

As per **Claim 15, Walker** discloses the method further comprising the steps of receiving an indication that

a customer has purchased the option or offer for sale this option or put a bid for an option and

updating(Col. 7, lines 62-65) a database to reflect any transaction affected with any the options by the

carrier or with another seller.

As per **Claim 16, Walker** discloses the method further comprising the step of receiving option sales in

formation from an option database indicating a number of similar options that have been previously sold

or written, and wherein the calculating(Abstract, Col. 6, lines 13, 28) steps uses the option sales

information in determining the option price(Abstract) .

As per **Claim 17, Walker** discloses the method further comprising the steps of receiving a customer

request to purchase an option, receiving tender of the purchase from the customer, scanning for any

available ready seller at that option price(Abstract) or lower, performing a transaction to sell the option to

the customer and storing to information regarding said option until expired or exercise whichever is first.

As per **Claim 18, Walker** discloses the method further comprising the steps of receiving a customer

request to exercise an option, performing a transaction to fully paid for the cargo service upon exercise to

the customer in accordance with the terms of the option and modifying the database to reflect the full

payment of the cargo service pursuant to the option.

As per **Claim 19, Walker** discloses the method wherein the calculation(Abstract, Col. 6, lines 13, 28) of

the option price(Abstract) is based in part upon pricing information that is satisfied by more than one

carrier cargo system(Col. 4, line 53- 60) s.

As per **Claim 20, Walker** discloses the method wherein the calculating(Abstract, Col. 6, lines 13, 28)

steps of the option price(Abstract) is based in part upon the formula below.

Option price(Abstract) = LC*D*L*C*R*V*W*T*Q*A*CO

where LC is the load capacity times the base option price(Abstract) for the option, D is a factor(Abstract,

Col. 3, lines 35-37, Col. 5, lines 41-67, Col. 6, lines 40-67, Col. 7, lines 1-26, 54-56) related to a desired

number of weeks before departure date, L is a factor(Abstract, Col. 3, lines 35-37, Col. 5, lines 41-67,

Col. 6, lines 40-67, Col. 7, lines 1-26, 54-56) concerning the expected demand on the requested route, C

is a factor(Abstract, Col. 3, lines 35-37, Col. 5, lines 41-67, Col. 6, lines 40-67, Col. 7, lines 1-26, 54-56)

concerning loyalty, R is a factor(Abstract, Col. 3, lines 35-37, Col. 5, lines 41-67, Col. 6, lines 40-67, Col.

7, lines 1-26, 54-56) concerning flexibility, V is a factor(Abstract, Col. 3, lines 35-37, Col. 5, lines 41-67,

Col. 6, lines 40-67, Col. 7, lines 1-26, 54-56) concerning the to volatility of the cargo freight option

price(Abstract) s, W is a factor(Abstract, Col. 3, lines 35-37, Col. 5, lines 41-67, Col. 6, lines 40-67, Col. 7,

lines 1-26, 54-56) concerning the weather on the departure date, T is a factor(Abstract, Col. 3, lines 35-

37, Col. 5, lines 41-67, Col. 6, lines 40-67, Col. 7, lines 1-26, 54-56) concerning timing of flight date such as in holiday period or otherwise, Q is factor(Abstract, Col. 3, lines 35-37, Col. 5, lines 41-67, Col. 6, lines 40-67, Col. 7, lines 1-26, 54-56) for type of cargo, A is for type of plane and CO is for number of competition on the same route.

As per **Claim 21, Walker** discloses a computer executable process steps operative to control a computer, received input from user terminal(Col. 4, line 53- 60) and query cargo system(Col. 4, line 53- 60) terminal(Col. 4, line 53- 60), stored all inputs on a computer readable medium for determining a option price(Abstract) of an option to purchase or sell the right to buy an cargo service, display all open options both bid and offer quotations on-line comprising;

a step to receive departure date

a step to assign the load capacity factor(Abstract, Col. 3, lines 35-37, Col. 5, lines 41-67, Col. 6, lines 40-67, Col. 7, lines 1-26, 54-56) for a particular flight and to receive this factor(Abstract, Col. 3, lines 35-37, Col. 5, lines 41-67, Col. 6, lines 40-67, Col. 7, lines 1-26, 54-56) at the controller(Col. 4, lines 27-34, 59), a step to receive a base option price(Abstract) for the option on-line, a step to assign the expected demand factor(Abstract, Col. 3, lines 35-37, Col. 5, lines 41-67, Col. 6, lines 40-67, Col. 7, lines 1-26, 54-56) on the requested route and to receive this factor(Abstract, Col. 3, lines 35-37, Col. 5, lines 41-67, Col. 6, lines 40-67, Col. 7, lines 1-26, 54-56) at the controller(Col. 4, lines 27-34, 59), a step to check the loyalty factor(Abstract, Col. 3, lines 35-37, Col. 5, lines 41-67, Col. 6, lines 40-67, Col. 7, lines 1-26, 54-56) of the potential customer at the cargo system(Col. 4, line 53- 60) by scanning account records and to receive the loyalty factor(Abstract, Col. 3, lines 35-37, Col. 5, lines 41-67, Col. 6, lines 40-67, Col. 7, lines 1-26, 54-56) of the potential client at the controller(Col. 4, lines 27-34, 59), a step to receive the flexibility factor(Abstract, Col. 3, lines 35-37, Col. 5, lines 41-67, Col. 6, lines 40-67, Col. 7, lines 1-26, 54-56) at the controller(Col. 4, lines 27-34, 59) as sent by the client at the user terminal(Col. 4, line 53- 60), a step to calculate the volatility of the cargo option price(Abstract) s on real-time at the cargo system, link this to a factor(Abstract, Col. 3, lines 35-37, Col. 5, lines 41-67, Col. 6, lines 40-67, Col. 7, lines 1-26, 54-56) and to receive this factor(Abstract, Col. 3, lines 35-37, Col. 5, lines 41-67, Col. 6, lines 40-67, Col. 7, lines 1-

26, 54-56) at the controller(Col. 4, lines 27-34, 59), to a step to assign a factor(Abstract, Col. 3, lines 35-37, Col. 5, lines 41-67, Col. 6, lines 40-67, Col. 7, lines 1-26, 54-56) linking the predicted weather on the departure date and to receive this data at the controller(Col. 4, lines 27-34, 59), a step to assign a factor(Abstract, Col. 3, lines 35-37, Col. 5, lines 41-67, Col. 6, lines 40-67, Col. 7, lines 1-26, 54-56) linking the timing of the flight date such as in holiday period or otherwise at the cargo system(Col. 4, line 53- 60) and to receive this data at the controller(Col. 4, lines 27-34, 59), a step to assign a factor(Abstract, Col. 3, lines 35-37, Col. 5, lines 41-67, Col. 6, lines 40-67, Col. 7, lines 1-26, 54-56) as determine by the customer inputting the type of cargo and to receive this factor(Abstract, Col. 3, lines 35-37, Col. 5, lines 41-67, Col. 6, lines 40-67, Col. 7, lines 1-26, 54-56) at the controller(Col. 4, lines 27-34, 59), a step to assign a factor(Abstract, Col. 3, lines 35-37, Col. 5, lines 41-67, Col. 6, lines 40-67, Col. 7, lines 1-26, 54-56) as determine by the cargo system(Col. 4, line 53- 60) for the type of plane and to receive this factor(Abstract, Col. 3, lines 35-37, Col. 5, lines 41-67, Col. 6, lines 40-67, Col. 7, lines 1-26, 54-56) at the controller(Col. 4, lines 27-34, 59), a step to assign a factor(Abstract, Col. 3, lines 35-37, Col. 5, lines 41-67, Col. 6, lines 40-67, Col. 7, lines 1-26, 54-56) as determine by the cargo system(Col. 4, line 53- 60) as to the number of competitors for this route and to receive this factor(Abstract, Col. 3, lines 35-37, Col. 5, lines 41-67, Col. 6, lines 40-67, Col. 7, lines 1-26, 54-56) at the controller(Col. 4, lines 27-34, 59), a step to output the option price(Abstract) ,and step to ask the customer to accept or reject or change input criteria.

As per **Claim 22, Walker** discloses a method of pricing an option to pay for a cargo freight route, comprising the steps of: inquiring on a cargo freight option price(Abstract) for a particular route; receiving said cargo freight option price(Abstract, Col. 7, lines 26) ; receiving an offer to pay for a given option price(Abstract) an option to pay for within a particular period(Col. 7, lines 27-35), for a particular route, the freight services and purchasing said option at option price(Abstract) .

As per **Claim 23, Walker** discloses the method further including the steps of using said to option to pay for the freight cargo service(Col. 6, lines 17-25).

As per **Claim 24, Walker** discloses the method wherein said step of inquiring on an cargo flight route includes providing information including the date of departure, flexibility ,type of cargo, name of user and route criteria(Col. 5, lines 43-44).

As per **Claim 25, Walker** discloses a data processing(Col. 4, lines 46-50) apparatus for originating, bidding, offering, selling an option to pay for a cargo service, comprising: a user terminal(Col. 4, line 53-60) adapted to communicate with a central controller(Col. 4, lines 27-34, 59), said central controller(Col. 4, lines 27-34, 59) adapted to communicate with various carrier cargo system(Col. 4, line 53- 60) and to receive their data based on the first communication from the user terminal(Col. 4, line 53- 60) and to calculate a option price(Abstract) of an option to pay for freight cargo services within a future period, for a particular route.

Said user terminal(Col. 4, line 53- 60) adapted to transmit to the central controller(Col. 4, lines 27-34, 59) option pricing information comprising the date of departure, flexibility, type of cargo and name, linking together with carrier cargo system(Col. 4, line 53- 60) s terminal(Col. 4, line 53- 60) adapted to transmit to central controller(Col. 4, lines 27-34, 59) option pricing information such as load capacity, demand, loyalty, volatility of cargo option price's(Abstract), weather, type of plane and number of competition and further adapted to receive from the central controller(Col. 4, lines 27-34, 59) a option price(Abstract) of an option satisfying all these factor(Abstract, Col. 3, lines 35-37, Col. 5, lines 41-67, Col. 6, lines 40-67, Col. 7, lines 1-26, 54-56)s(Abstract, Col. 3, lines 35-37, Col. 5, lines 41-67, Col. 6, lines 40-67, Col. 7, lines 1-26, 54-56).

As per **Claim 26, Walker** discloses the apparatus wherein said terminal(Col. 4, line 53- 60) is adapted to transmit a customer request to purchase the option and further adapted to perform a credit card transaction(Col. 7, lines 27-35, Col. 8, lines 10-15) to sell the option to the customer.

As per **Claim 27, Walker** discloses the apparatus wherein said terminal(Col. 4, line 53- 60) is adapted to transmit a customer request to exercise an option and further adapted to perform a credit card transaction(Col. 7, lines 27-35, Col. 8, lines 10-15) to fully pay for the freight cargo service to the customer in accordance to the terms of the option.

As per **Claim 28, Walker** discloses, the apparatus wherein said terminal(Col. 4, line 53- 60) is adapted to transmit a seller (non-carrier) request to sell a pre-owned option and further adapted to perform a credit card transaction(Col. 7, lines 27-35, Col. 8, lines 10-15) to credit the payment from the sell of the option to the seller/customer and debit the payment from the buyer while updating(Col. 7, lines 62-65) all entries and claims immediately(Col. 7, lines 30-35, Col. 8, lines 10-15, 27-30).

Conclusion

2.   The prior art made of record and not relied upon is considered pertinent to applicant's disclosure.

Cristofich st al. Private Stock Option Account Control and Exercise System.

Dedrick Consumer-Driven Electronic Information Pricing Mechanism.

Daughtery, III, Apparatus and Process for Calculating an Option.

Hartman et al. Variable Margin Pricing System.

Luke et al. Method for Automatically Identifying, Matching, and Nearmatching Buyers and Sellers in Electronic Market Transactions.

Any inquiry concerning this communication or earlier communications from the examiner should be directed to Debra F. Charles whose telephone number is (703) 306-0372. The examiner can normally be reached on 9-5 Monday thru Friday.
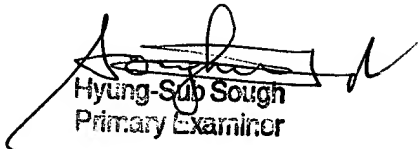
If attempts to reach the examiner by telephone are unsuccessful, the examiner's supervisor, James P. Trammell can be reached on (703) 305-9768. The fax phone numbers for the organization where this application or proceeding is assigned are (703) 746-7239 for regular communications and (703) 746-7238 for After Final communications.

   Any inquiry of a general nature or relating to the status of this application or proceeding should be

directed to the receptionist whose telephone number is (703) 305-3900.

                                                      Debra F. Charles
                                                      Examiner
                                                      Art Unit 2161

dfc
December 28, 2001

Hyung-Sub Sough
Primary Examiner